

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STEPHANIE ZOBAY, et al.,

Plaintiffs,

-v.-

MTN GROUP LIMITED, et al.,

Defendants.

Case No.: 1:21-cv-03503-CBA

STIPULATION AND [PROPOSED] ORDER

WHEREAS Plaintiffs filed their Complaint in the above-captioned action on June 22, 2021, asserting claims pursuant to the Anti-Terrorism Act (18 U.S.C. §§ 2333(a), 2333(d)(2));

WHEREAS Defendant MTN Group Limited (“MTN Group”) is a mobile telecommunications company headquartered in South Africa;

WHEREAS Defendant MTN (Dubai) Limited (“MTN Dubai,” and with MTN Group, the “MTN Defendants”) is a mobile telecommunications company headquartered in Dubai;

WHEREAS the MTN Defendants have agreed to waive service of process in exchange for Plaintiffs’ agreement to this stipulation setting their time to respond to the Complaint in accordance with the terms set forth below;

WHEREAS neither MTN Defendant has previously made a request seeking an adjournment of time to move or answer the Complaint; and

WHEREAS the parties are concurrently filing a pre-motion letter asking the Court to adopt a briefing schedule on the MTN Defendants’ anticipated motion to dismiss.

NOW THEREFORE, it is stipulated and agreed by all parties in this action by their undersigned counsel as follows:

1. The MTN Defendants have agreed to waive service of the Summons and Complaint in this matter, pursuant to Federal Rule of Civil Procedure 4(d).

2. The deadline to answer, move to dismiss, or otherwise respond to the Complaint in this action shall be January 14, 2022.

3. This Stipulation and [Proposed] Order may be executed in counterparts, and electronic or facsimile signatures shall be deemed equivalent to original signatures.

4. Nothing in this Stipulation and [Proposed] Order shall be construed as a waiver of any other defense available to the MTN Defendants in responding to the Complaint, including those defenses set forth in Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: November 5, 2021

Respectfully submitted,

/s/ Eli J. Kay-Oliphant

/s/ Timothy P. Harkness

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Limited and MTN (Dubai) Limited*

So ordered this __ day of _____, 2021

United States District Judge

* Applications for admission forthcoming.